Columbia, Missouri
Development Code Update

Review of Module 3

April 2015

PRESENTATION OVERVIEW

- **Overview of Development Code Update Project**

- **Module 3: Procedures and Enforcement**

- **Next Steps**

- **Questions and Discussion**

DEVELOPMENT CODE UPDATE PROJECT

PROJECT GOALS

Revise and Integrate Chapters 25 (Subdivision) and 29 (Zoning) to create a Unified Development Ordinance that will:

- Implement *Columbia Imagined*
- Focus public involvement
- Reformat and reorganize
- Streamline administration
- User-friendly
- Incorporate targeted form-based controls for downtown
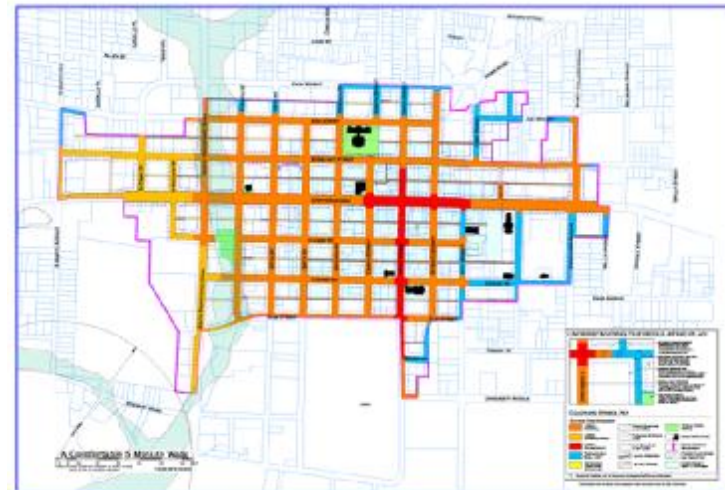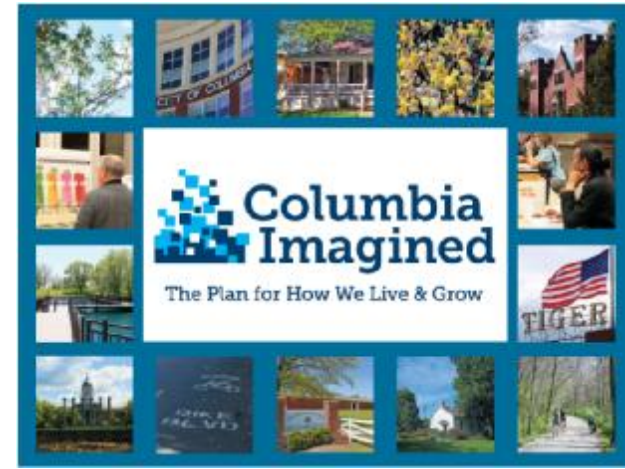
PROJECT TIMELINE

1. Initial Scoping, Analysis & Direction ✔

2. Detailed Outline of Development Code ✔

3. Staff Drafts of Revised Development Code (3 Modules)

   Spring 14 to Spring 15

4. Public Drafts of Revised Development Code (3 Modules)

5. Code Testing

   Summer 2015

6. Refinement & Adoption

   Fall - Winter 2015

DRAFTING THE DEVELOPMENT CODE

NEW UDO CHAPTERS:

29-1: General Provisions

29-2: Zoning Districts

29-3: Permitted Uses

29-4: Form & Development Controls

29-5: Procedures & Enforcement
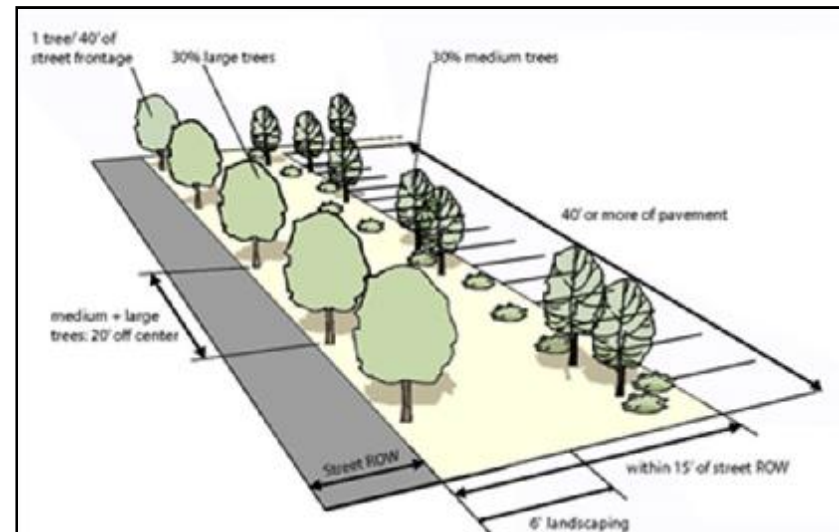
Three Drafting Stages:

- Module 1 (Initial Public Draft Complete)
  - Zone Districts
  - Permitted Uses

- Module 2 (TODAY)
  - Form & Development Controls

- Module 3 (February 2015)
  - General Provisions
  - Procedures & Enforcement

TABLES AND GRAPHICS

- Consolidates and clarifies text in new tables (e.g., dimensional summary tables)

- Revises existing tables (e.g., required parking table)

- Illustrates technical concepts and definitions with graphics (e.g., street frontage landscaping)

Table 4.1-1: Dimensional Standards for Residential Districts			
Standard	R-1	R-2 [1]	
		Current	Cottage
Lots			
Minimum Lot Area (sq. ft.)			
One-Family Dwelling	7,000	5,000	3,000
One-Family Attached Dwelling		5,000	3,000
Two-Family Dwelling		7,000	
Multiple Family Dwelling			
Sorority or Fraternity			
CRCC			
Lot area if no public or community sewer [4]	15,000	15,000	15,000

1 tree/ 40' of street frontage
30% large trees
30% medium trees
40' or more of pavement
medium + large trees: 20' off center
Street ROW
within 15' of street ROW
6' landscaping

TECHNICAL CRITERIA

- Relocates Technical Criteria (not zoning provisions) to existing Appendix A – "Design Standards for Streets, Sidewalks, and Bikeways" (2004)

NOTE:

- This draft does NOT include revisions to Modules 1 and 2.
- Revisions requested include:
  - Improvements to overlay districts surrounding downtown; and
  - Changes/simplification to draft M-DT (downtown form-based) district
- Those will be included in Integrated Draft (the next one)

CHAPTER 1 OUTLINE

Chapter 29-1 General Provisions

29-1.1   Title

29-1.2   Purpose

29-1.3   Applicability and Jurisdiction

29-1.4   Official Zoning Map

29-1.5   Compliance Required

29-1.6   Relationship to Other Regulations

29-1.7   Relationship to Third-Party Private Agreements

29-1.8   Interpretation

29-1.9   Effective Date

29-1.10   Nuisances Prohibited

29-1.11   Transition to this UDO

29-1.12   Severability

29-1.13   Definitions and Rules of Construction

CHAPTER 5 OUTLINE

Chapter 29-   Procedures and Enforcement

29-5.1 Reviewers and Decision-Making Bodies

29-5.2 Regulatory Procedures Table

29-5.3 Standard Regulatory Procedures

29-5.4 Specific Regulatory Procedures

29-5.5 Nonconformities

29-5.6 Violations, Enforcement, and Penalties

STANDARD PROCEDURES

Chapter 29-5 Procedures and Enforcement

29-5.3 Standard Regulatory Procedures

(a) Application - Materials and Fees Required

(b) Complete Application Required

(c) Notice of Public Hearing

(d) Decisions under this Ordinance

(e) Conditions on Approvals

(f) Modifications of Approvals

(g) Appeals

PROCEDURES TABLE

Table 5.2-1: Approval Procedures Table						
H = Public Hearing D = Decision R = Recommendation A = Decision on Appeal DCD = Community Development DPW = Public Works						
Procedure	Sect. 29-	Dept.	BOA	P&ZC	HPC	Council
Zoning Compliance	5.4(a)	D-DCD	A			
Building Permit	5.4(b)	D-DCD	A			
Certificate of Occupancy	5.4(c)	D-DCD	A			
Variance	5.4(d)		D			
Adjustment of Form-based Standards	5.4(e)					
Minor		D-DCD	A			
Major			D			
Sign Permit	5.4(f)	D-DCD	A			
Sign Plan Approval	5.4(g)		D			
Temporary Parking Permit	5.4(h)	D-DCD	A			
Floodplain Development Permit	5.4(i)	D-DPW	A			
Land Disturbance Permit	5.4(j)	D-DPW	A			
Stormwater Permit	5.4(k)	D-DPW	A			

PROCEDURES TABLE

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H = Public Hearing D = Decision R = Recommendation A = Decision on Appeal DCD = Community Development DPW = Public Works						
Procedure	Section	Department	BOA	P&ZC	HPC	Council
Optional Development Standards Approval	5.4(l)		D			
Certificate of Appropriateness	5.4(m)			A	D	
Landmark and Historic District Designation	5.4(n)				D	
Conditional Use Permit	5.4(o)			R		D
Subdivision of Land	5.4(p)					
Tract Split		D-DCD				
Administrative Plat Review		D-DCD				
Minor Subdivision - Concept		R				
Minor Subdivision - Final				R		D
Major Subdivision - Concept		R				
Major Subdivision - Preliminary				R		D
Major Subdivision - Final				R		D
Ordinance Text or Map Amendment	5.4(q)					
Concept Review		R				
Zoning Text or Map Amendment				R		D
Annexation of Land	5.4(r)			R		D
Comprehensive Plan Amendment	5.4(s)			R		D

SIGNIFICANT CHANGES

- Published, mailed, and posted notices expanded to match current practices

- Timeframes for first amendment-related decisions added to avoid "chilling effect" on free speech

- All provisions on amendments of approvals consolidated and divided into minor and major

- Decision criteria for appeals clarified and requirement that reversals of appeals be based on substantial evidence added

- Provisions for establishment of street and building lines not carried over (obsolete and duplicate other powers)

SIGNIFICANT CHANGES

Major Subdivision

- Flowchart for each specific procedure added
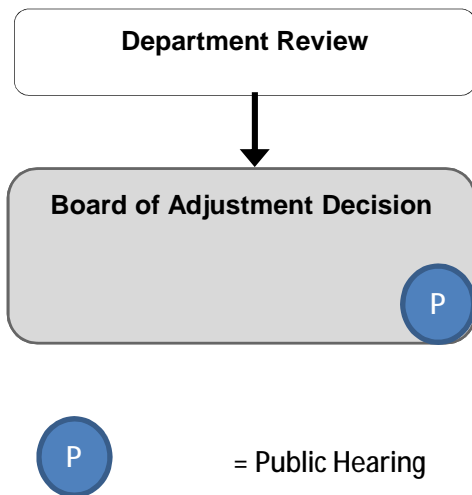
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┌─────────────────────────┐
│  Department Review of    │
│     Concept Plan         │
└─────────────────────────┘
       - - - - - - -
┌─────────────────────────┐
│  Department Review of    │
│    Preliminary Plat      │
└─────────────────────────┘
            │
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┌─────────────────────────┐
│    P&Z Commission        │
│  Recommendation on       │
│    Preliminary Plat      │
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┌─────────────────────────┐
│  City Council Decision on│
│    Preliminary Plat      │
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│  Department Review of    │
│      Final Plat          │
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│    P&Z Commission        │
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│      Final Plat          │
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│  City Council Decision on│
│      Final Plat          │
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Sign Plan Approval

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┌─────────────────────────┐
│   Department Review      │
└─────────────────────────┘
            │
            ▼
┌─────────────────────────┐
│ Board of Adjustment      │
│       Decision           │
│                      (P) │
└─────────────────────────┘
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(P) = Public Hearing

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SIGNIFICANT CHANGES

- Special provisions on approval of Urban Renewal plans and Public Housing projects deleted – they are now (and generally have been) treated like all other applications

- All variance provisions consolidated and decision criteria clarified

- Standard that variances not be inconsistent with Comprehensive Plan extended from subdivisions to all approvals

- Stormwater and floodplain regulations now require opinion and supporting data from registered professional engineer

- Conditional Use Permits now require recommendation of PZC and approval of Council rather than BOA

SIGNIFICANT CHANGES

- Conditional use approvals now required to be consistent with Comprehensive Plan

- Clarifies current practices that variances from subdivision standards are not permitted, but applicant instead proposes alternative standards that are reviewed with subdivision application

- Same applies to appeals. Disagreements with PZC decision or conditions are considered by Council during its decision

- Major subdivision preliminary plat now valid for 3 years instead of 7 (now matches mainstream practice)

- One 5 year extension on subdivision improvements replaced by up to 3 one year extensions

SIGNIFICANT CHANGES

- Property owners may not apply for zoning map changes in areas where they own property – not just for their own property

- Protest procedures for PD zoning now match those for other rezonings

- Procedures for rezoning to PUD, O-P, C-P, or M-P consolidated into a single procedure for rezoning to PD

- Statement of Intent in PD application is no longer binding because too vague to enforce

- PD Development Plans must now be submitted at the same time as PD zoning (no "shell PUDs")

SIGNIFICANT CHANGES

- PD development plans expire after 3 years unless construction has begun – with 1 one year extension possible

- If no action for construction, Council does not "withdraw Development Plan" but considers rezoning away from PD

- Provisions on nonconforming uses and structures separated and clarified

- Nonconformity provisions now permit repairs to a nonconforming building – but not expansion

- Reconstruction of residential units now permitted regardless of amount of damage.

QUESTIONS?

NEXT STEPS

- **Code Testing**
  - Test select development scenarios
  - Summer 2015

- **Code Refinement**
  - Create Integrated Draft (considers Module 1 – 3 public comments)
  - Fall 2015

- **Review & Adoption Hearings**
  - Fall 2015

Questions & Discussion

For more information or
comments please contact:

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& check out:
http://www.gocolumbiamo.com/community_development/planning/dev_code_project/index.php